

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, OCTOBER 8, 2002**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 1, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)
  
- 2) **SPECIAL PRESENTATIONS:**
  - A. Juvenile Justice Review Committee recommendations for distribution of Legislative Bill 640 funds - Kit Boesch, Human Services Director
  
- 3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.
  
- 4) **CLAIMS:** Approval of all claims processed through Tuesday, October 8, 2002.
  
- 5) **PUBLIC HEARINGS:** (Those individuals wishing to testify will be sworn in.)
  - A. Continuation of a public hearing regarding an application for Corporate Manager for Teri L. Ernisse and a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Chace Enterprises, Inc. d/b/a Silver Spoke Saloon, located at 1400 Saltillo Road, Lincoln, Lancaster County, Nebraska.
  
  - B. County Special Permit 196, View Pointe North Community Unit Plan, requested by Lyle Loth of ESP on behalf of Willard Giebenrath, consisting of 14 single family lots/dwelling units and five outlots, with associated waiver requests, on property generally located at North 70<sup>th</sup> Street and Waverly Road in Lancaster County, Nebraska.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

5) **PUBLIC HEARINGS CONTINUED:**

- C. County-City Preliminary Plat 02014, View Pointe North, requested by Lyle Loth of ESP on behalf of Willard Giebenrath, consisting of 14 single family lots/dwelling units and five outlots, with associated waiver requests, on property generally located at North 70<sup>th</sup> Street and Waverly Road in Lancaster County, Nebraska.
- D. Proposed use of Local Law Enforcement Block Grant Funds, in the amount of \$106,960, by the Lancaster County Sheriff. The funds will be used for adult drug court portable radios.
- E. Issuance of Industrial Development Revenue Bonds (Plastic Companies Enterprises, Inc. Project), not to exceed \$1,300,000, pursuant to Reissue Revised Statutes of Nebraska, 1997, Sections 13-1101 et seq., as amended, the proceeds of which will be used to defray all or a portion of the cost of acquiring and installing certain equipment for the molding of plastics and related necessary and appropriate equipment and facilities located in Lancaster County, Nebraska and to be operated by Plastic Companies Enterprises, Inc. a Texas corporation, and its wholly owned subsidiaries, Geist Manufacturing, Corp. and Heinke Technology, Inc., and to discuss matters relating to the final authorization, sale and issuance of such bonds. The bonds will be a limited obligation of Lancaster County and the interest thereon will be payable solely from the revenues derived from a lease agreement.

6) **NEW BUSINESS:**

- A. A resolution in the matter of granting public approval within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, and authorizing the sale and issuance in one or more series pursuant to a plan of financing of not to exceed \$1,300,000 of Industrial Development Revenue Bonds (Plastic Companies Enterprises, Inc. Project), in accordance with Section 13-1101 to 13-1110, inclusive, Reissue Revised Statutes of Nebraska, 1997, as amended, for the purpose of financing an Industrial Development Project consisting of the acquisition and installation of certain equipment for the molding of plastics and related necessary and appropriate equipment and facilities located in Lancaster County, Nebraska, which bonds and the interest thereon shall be payable solely from the amounts to be paid by Plastic Companies Enterprises, Inc. under a lease agreement among the County, the Company and the Purchaser of such bonds which amounts are pledged to the payment of the bonds; approving and authorizing the execution of an escrow agreement among the County, the Company, the Purchaser and West Gate

6) **NEW BUSINESS CONTINUED:**

Bank, as escrow agent; approve and authorizing execution of the lease agreement among the County, the Company, and the Purchaser of the bonds with respect to the project containing certain options and covenants to purchase said project; approving and authorizing execution of a tax regulatory agreement and arbitrage certificate among the County, the Company and the Purchaser; and determining that said bonds shall not constitute or give rise to any pecuniary liability of Lancaster County, in the State of Nebraska or charge against its general credit or taxing powers. (R-02-0123)

- B. An agreement with the University of Nebraska Medical Center College of Nursing to permit UNMC students to participate in patient care at the Community Mental Health Center. The term of the agreement is one year effective July 1, 2002 with automatically renewable terms. The agreement has a 60 day termination clause. (C-02-0501)
- C. Interlocal agreements with Gage and Washington counties for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Gage and Washington counties will pay the County at a rate of \$200 per day for youth placed at the Juvenile Detention Center. The agreements are effective upon execution by both parties and have a 30 day termination provision. (C-02-0502 and C-02-0503)
- D. An agreement with Warren F. Cook and Associates for consulting services for the coordination of adult offender services, beginning October 1, 2002 and ending June 30, 2003. The County will pay up to \$30,000 upon receipt of proper documentation and reports from the contractor. (C-02-0500)
- E. An agreement with the University of Nebraska, Department of Psychology, Psychological Consultation Center for the provision of psychological evaluation services for individuals enrolled in the Lancaster County Adult Drug Court. The County will pay \$1,000 per month for supervision and administrative costs related to the services. The County will also pay up to \$150 per participant should the individual enrolled in the Lancaster County Adult Drug court not pay the University within 30 days of receipt of an invoice for psychological services provided. The term of the agreement is October 1, 2002 to September 30, 2003. (C-02-0505)

6) **NEW BUSINESS CONTINUED:**

- F. A grant contract with Berniklau Educational Solutions Team (B.E.S.T.) to provide management of the project and grant funds for a day reporting center for six juveniles at a rate of \$50 per day for 260 days a year. The term of the agreement is from July 1, 2002 to June 30, 2003. The County shall make a grant in the amount of \$78,000. (C-02-0506)
- G. A grant contract with the Rape/Spouse Abuse Crisis Center for the oversight and management of two full-time advocates who supply enhanced 24 hour advocacy to victims. The County shall make a grant in the amount of \$56,858 for the services. The term of the agreement is from June 1, 2002 to May 31, 2003. (C-02-0507)
- H. A grant contract with Cedars Youth Service, Inc. to provide funding for "Teaching and Learning with Children", Housing and Children's Shelter and the Freeway Station. The County will provide a grant in the amount of \$275,000 to support these programs. The term of the agreement is from July 1, 2002 to June 30, 2003. (C-02-0508)
- I. An agreement with Nebraska Machinery for the purchase of two Caterpillar Model 140H motor graders. The cost of the motor graders is \$356,800 minus \$50,000 for trade-in of county machines 337 and 330. The total cost to be paid to Nebraska Machinery is \$306,800. (C-02-0509)
- J. An agreement with Alliance Holding LLC regarding Lancaster County Tax Sale Certificate 34813 and Lancaster County Treasurer's Tax Deed dated August 23, 2002. (C-02-0513)
- K. An amendment to a grant contract with Cedars Youth Services. The grant contract was under Contract Number C-02-129 and was for the purpose of providing management support to the Clyde Malone Center. The original grant contract was in the amount of \$6,000. The amendment provides an additional \$4,000 in funds for a total grant in the amount of \$10,000. (C-02-0504)
- L. Addendum number two to a food services agreement with Aramark Correctional Services, Inc. clarifying that Cornhusker Place has been made a party to the agreement between Lancaster County and Aramark and will be billed directly in accordance with the price structure as outlined in the original agreement, which is under County contract number C-02-0454. Aramark recognizes that the County is not responsible for any losses, claims or payment to Aramark as a result of services provided to Cornhusker Place. (C-02-0514)

6) **NEW BUSINESS CONTINUED:**

M. A political subdivision tort claim filed against Lancaster Manor by Naoma Hilligoss, on behalf of Nona Gardner, for lost property, in the amount of \$838.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Clerk's Monthly Report for September, 2002.
2. Lancaster Manor's Monthly Report.
3. Lincoln Airport Authority's Audit Report for the Fiscal Year 2001-2002.

B. Setting of a public hearing for Tuesday, November 12, 2002 at 7:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2003 through June 30, 2008 as proposed by the Lancaster County Engineer.

C. A resolution in the matter of authorizing the replacement of a temporary "Watch for Turning Truck" sign on West Denton Road in advance of 7700 West Denton with a permanent "Driveway Warning" sign. (R-02-0122)

D. A leasehold contract relating to bridge construction between the Lancaster County Engineering Department and Al Layman, in the amount of \$10, at 27100 South 148<sup>th</sup> Street; Project 03-17, Bridge Y-74. (C-02-0510)

E. Right-of-way contracts relating to bridge construction between the Lancaster County Engineering Department and the following individuals:

- ▶ Johanna Hesser, in the amount of \$45, at 14401 Pella Road; Project 03-17, Bridge Y-74. (C-02-0511)
- ▶ James and Mary Erickson, in the amount of \$84, near South 148<sup>th</sup> Street and Pella Road; Project 03-17, Bridge Y-74. (C-02-0512)

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **PENDING:**

- A. Comprehensive Plan Amendment 27b, 1998 Comprehensive Plan Annual Review, requested by Peter Katt for Steve Champoux, to revise the Land Use Plan to change 124 acres from Agricultural to Low Density Residential at the northwest corner of 134<sup>th</sup> and "A" Streets in Lancaster County, Nebraska. (1998937)
- B. County Change of Zone 147, requested by Peter Katt for Steve Champoux, from "AG" Agricultural to "AGR" Agricultural Residential on property located at the northwest corner of 134<sup>th</sup> and "A" Streets in Lancaster County, Nebraska. (1998938)

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, October 10, 2002. Instead they will be attending the County Management Team Meeting, beginning at 8:15 a.m., at the Lancaster Events Center located at 4100 North 84<sup>th</sup> Street.
- B. A public hearing will be held on Tuesday, October 15, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for an addition to licensed premises from Hotdam, Inc. d/b/a Pawnee Marina, located at 3805 Northwest 105<sup>th</sup> Street in Lancaster County, Nebraska. The addition will include a deck and volleyball courts to the west of the marina.
- C. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us). Click on 5 City-TV Video On Demand.

11) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at: <http://www.ci.lincoln.ne.us> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, OCTOBER 8, 2002**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 1, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 37 additions and deductions to the tax assessment rolls per Exhibit A.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Gateway Manor, Inc.  
Temple Baptist Church

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Setting of a public hearing for Tuesday, October 22, 2002 in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for A & E Inc.

6) **APPEALS FILED ON LATE FILING PENALTY ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Papa Murphy's of Nebraska, LLC  
Valentino's

<p style="text-align:center"><b>IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.</b></p>
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7) REMOVAL OF 2002 451 TAX EXEMPTION ON REAL PROPERTY FOR HOPE REFORMED CHURCH:

8) APPROVAL OF 2002 451 TAX EXEMPTIONS ON REAL AND PERSONAL PROPERTY FOR THE FOLLOWING:

The Catholic Bishop of Lincoln (2 exemptions)

9) DENIAL OF 2002 451 TAX EXEMPTIONS ON REAL PROPERTY FOR THE MANOR OF LINCOLN, INC. D/B/A VILLAGE MANOR:

10) ADJOURNMENT: